APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/848,292	05/04/2001	Takashi Miyasaki	35.C15340	9605

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EXAMINER
DALENCOURT, YVES

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 12/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _19 September 2006_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1–4, 6, 8, 10, and 12-14_ is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-4,6,8,10 and 12-14_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This office action is responsive to Request foe Continued Examination (RCE)

filed on 09/19/2006.

Response to Amendment

2.   The Examiner has acknowledged the amended claims 1, 6, 8, 10, 12, 14, and the

cancellation of claims 7, 9, and 11.

Response to Arguments

3.   Applicant's arguments with respect to claims 1 – 4, 6, 8, 10, and 12 - 14 have

been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5.   Claims 1 – 4, 6, 8, 10, and 12 - 14 are rejected under 35 U.S.C. 102(e) as being

anticipated by Eric Lawrence Barsness (US 20040117443; hereinafter Barsness).

6.   Regarding claims 1, Barsness teaches a status information sharing system for

managing status information of a user's action which the user's operating user terminal

device respectively performs (figs. 7 - 9), comprising: a recognition unit that recognizes a presence or absence of a user at the user terminal device (paragraphs [0009 - 0010]; Barsness discloses an instant messaging application in a computer system attached to a network intelligent infers a user's availability from one or more indicia other than merely being logged on or active/inactive, and report status accordingly); a search unit that searches schedule information of registered users (paragraph [0011 - 0013], Barsness discloses that the instant messaging application periodically checks the user's status and stores the result in a field in memory); a determination unit that determines whether last status information of the user's action is to be extended or not, in accordance with both the recognition of the presence or absence of the user and the searched schedule information (paragraphs [0043 – 0044]; Barsness discloses that the status information determines the current availability status of the user of workstation 300, and reports this status to server 100 across network interface 105); a generation unit that extends the last status information of the user's action as current status information of the user' s action in a case where the determination unit determines that the searched current schedule information is unoccupied and the user is absent (paragraphs [0042] and [0046], lines 1 - 34; Barsness discloses); and an update unit that updates status information of the user's action on the basis of the information generated by the generation unit (paragraph [0046], lines 35 – 42; [0047], and [0059]).

7.   Regarding claim 2, Barsness teaches a system according to claim 1, wherein said search unit searches the schedule information of the users for the last and present schedule information (paragraphs [0044], [0054] and [0065]).

8.   Regarding claim 3, Barsness teaches a system according to claim 1, wherein said search unit searches the schedule information of the users for next schedules (paragraphs [0044] and [0046]; Barsness discloses that calendar flag 513 is a flag indicating whether instant messaging application 405 should infer unavailability from entries in the user's calendar).

9.   Regarding claim 4, Barsness teaches a system according to claim 1, wherein said search unit searches the schedule information of the users for next schedules (paragraphs [0043 - 0044]).

10.   Regarding claim 6, Barsness teaches a system according to claim 1, further comprising a count unit that counts the duration of a predetermined status if the presence or absence of the user is said predetermined status, wherein said generation unit generates the information of the user's status on the basis of the duration counted by said count unit if no schedule information exists (paragraph [0047]; Barsness discloses that flags 511-515 are set "yes" by default, activity timeout period 521 is set to 1 minute, inactivity timeout period 522 is set to 15 minute, and status update interval is set to 5 minutes. Thus, based on the amount of minutes, information on the user's status can be generated).

11.   Claim 8 substantively incorporates the limitations of claim 1, but as a server device for communicating with user terminal device. The reasons for the rejection of claim 1 apply to claim 8.

12.   Claim 10 substantively incorporates the limitations of claim 1, but as a control method for controlling a server device for communicating with user terminal devices. The reasons for the rejection of claim 1 apply to claim 10.

13.   Claim 12 substantively incorporates the limitations of claim 1, but as a computer readable storage medium storing a computer executable program for controlling a server device for communicating with user terminal devices. The reasons for the rejection of claim 1 apply to claim 12.

14.   Regarding claim 13, Barsness teaches a system according to claim 1, further comprising a transmission unit that transmits the updated status information to said one of the user terminal devices (paragraphs [0059] and [0062]).

15.   Regarding claim 14, Barsness teaches a system according to claim 1, wherein said recognition unit recognizes the presence or absence of the user based on a status of input from an input device connected to said user terminal device or an image taken by an image device connected to said user terminal device (paragraph [0046]).

Contact Information

16.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yves Dalencourt whose telephone number is (571) 272-3998. The examiner can normally be reached on M-TH 7:30AM - 6: 00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

December 3, 2006

YVES DALENCOURT
PRIMARY EXAMINER
TECHNOLOGY CENTER 2100